

THE HON'BLE SRI JUSTICE C.V.RAMULU
W.P.No.25658 of 2003

Dated:21.08.2007

Between

1.Kurra Srinivasu and others.

.....Petitioner

and

1.The State of Andhra Pradesh
rep., by its Secretary, Energy,
Forests, Environment,
Science and Technology Department
Secretariat, Secretariat Buildings,
Hyderabad and others.

...Respondents

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ORDER:

This writ petition has been filed seeking a Mandamus to direct 2nd respondent to appoint the petitioners as Badli workers in accordance with the scheme contained in G.O.Rt.No.424, dated 15.7.1988 on the basis of the verification report obtained from Revenue Divisional Officer, Kothagudem.

It appears that in the year 1988 Singareni Collieries acquired about Ac.600 of land belonging to various persons and the land oustees were promised that they would be accommodated as Badli workers/Badli fillers or in any suitable post as per their educational qualifications and in this regard, the Government of Andhra Pradesh issued G.O.RT.No.424 dated 15.7.1988. According to the petitioners, they are dependants of land oustees. They made several representations to the

respondents for appointing them as Badli fillers as per the said scheme. However, when their cases were not considered, they were forced to approach this Court by way of filing WP No.16406 of 1990. In the mean while, first respondent issued GO.Ms.No.310 dated 11.11.1991, modifying the earlier scheme made in GO No.424, 15.7.1998. Therefore, the petitioners were under the *bonafide* impression that they will get relief under the present GO at least. When their cases were not considered, they filed WP No.1649 of 1994. A learned single Judge of this Court has disposed of the writ petition directing the respondents to appoint the petitioners therein as Badli fillers. Aggrieved by the same, 2nd respondent preferred writ appeal No.445 of 1995 and the same was dismissed. Stating all these facts, the petitioners filed WP No.91 of 1998, and the same was disposed of directing the respondents to consider the claims of the petitioners and if they (respondents) are satisfied that the petitioners are displaced persons by virtue of the notification issued in 1998, prepare a list of

candidates who are eligible for appointment and consider the cases of the petitioners for appointment as and when vacancies arise in the respondent company, in accordance with the provisions of GO.Rt.No.424, Energy, Forests, Environment, Science & Technology (PR I) Department dated 15.7.1988, within a within a period of two months from the date of receipt of copy of the order.

Now it is the grievance of the petitioners that in spite of there being various directions from this Court in similar writ petitions, under similar circumstances, the respondents are not considering their cases.

A detailed counter has been filed by the respondents stating that the petitioners are not genuine land oustees and the certificates obtained by them are not genuine and therefore, they are not entitled for any consideration. In fact, earlier CC No.627 of 2005 was filed complaining that the respondents have not implemented the orders passed by this Court and

this Court has directed the CBCID to conduct enquiry into the matter and submit a report. The CBCID submitted the report in the said CC stating that the certificates obtained and produced by the petitioners are not genuine. On filing such report, the CC was closed. However, in the additional counter filed by the respondents, it is stated that as and when the petitioners obtain valid land loser certificate from the District Collect, their cases will be considered pursuant to the directions issued in the earlier writ petitions.

In view of the above, the writ petition is disposed of directing the petitioners to obtain fresh genuine certificates showing that they are land losers pursuant to the notification and acquisition by the respondents in the year 1988 and on producing such certificates, the respondents shall verify the genuineness of the same and consider the cases of the petitioners as per law, if they are otherwise eligible as per the scheme evolved by the Government in this regard.

21-08-2007

Note: Issue CC by one week.
(B.O) rkk